

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2476.

(Given pursuant to section 4 of the Food and Drugs Act.)

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**U. S. v. Crandall Pettee Co. Plea of guilty. Fine, \$50.**

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### ADULTERATION AND MISBRANDING OF OIL OF CLOVES.

On November 4, 1912, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Crandall Pettee Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on December 5, 1910, from the State of New York into the State of Georgia, of a quantity of oil of cloves which was adulterated and misbranded. The product was labeled: "Oil of Cloves. Guaranteed under the Food and Drugs Act, June 30, 1906, Serial No. 1045. The Crandall Pettee Co., Manufacturing Druggists. \* \* \* 40 & 42 Renwick St., New York. Factory, Jersey City, N. J."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 25° C., 0.9944; refractive index at 20° C., 1.4992; rotation at 20° (100 mm.), -0.76°; eugenol by absorption, 89.0 per cent; solution neutral to litmus; phenol test, negative; iodoform test, positive; ethyl alcohol (per cent by volume), 15.6. Adulteration of the product was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, oil of cloves, and differed from the standard of strength, quality, and purity as determined by the test for oil of cloves laid

down in said Pharmacopœia official at the time of investigation and shipment, and although the standard of the product differed from that determined for oil of cloves by the test laid down in said Pharmacopœia, the standard of strength, quality, and purity of said product was not stated upon the box, bottle, and container thereof. Adulteration of the product was alleged for the further reason that a substance, to wit, ethyl alcohol, had been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality and strength, and further in that a substance, to wit, ethyl alcohol, had been substituted in part for oil of cloves. Misbranding was alleged for the reason that the label upon the product bore a statement, to wit, oil of cloves, which said statement was false and misleading because it would mislead and deceive the purchaser into the belief that the product was oil of cloves, whereas, in truth and in fact, it was a mixture of oil of cloves and alcohol. Misbranding was alleged for the further reason that the product being a drug the present quantity and proportion of alcohol contained therein was not declared and stated on the label and package in which the article was sold. Misbranding was alleged for the further reason that the product being an article of food and an article which enters into the composition of food was labeled and branded oil of cloves in such manner as to mislead and deceive the purchaser, since, in truth and in fact, the product was not composed wholly of oil of cloves, but contained about 15 per cent of ethyl alcohol, the presence of which in the article was not stated on the label and package thereof.

On February 17, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$50.

B. T. GALLOWAY,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 29, 1913.*